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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,825	01/05/2004	Shigeyuki Kuramoto	2936-0208P	4058
2292 7590 08/13/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER SOL, ANTHONY M	
			ART UNIT 2616	PAPER NUMBER
			NOTIFICATION DATE 08/13/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

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<b>Office Action Summary</b>	<b>Application No.</b> 10/750,825	<b>Applicant(s)</b> KURAMOTO, SHIGEYUKI	
	<b>Examiner</b> Anthony Sol	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-9 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                       |                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 4,823,398 ("Hashimoto").

Hashimoto shows in fig. 5 a first receiver 53 for receiving a first broadcasting signal broadcast in a first broadcasting system and applying predetermined signal processing to the received first broadcasting signal.

Hashimoto shows in fig. 5 a second receiver 54 for receiving a second broadcasting signal transmitted by using a second broadcasting system different from the first broadcasting system and transmitting a broadcasting content in synchronization with an identical broadcasting content transmitted by the first broadcasting signal, the second receiver for applying predetermined signal processing to the received second broadcasting signal.

Hashimoto shows in fig. 5 a reception status detector (55 via V1, V2) for detecting a reception status of the first broadcasting signal. (see col. 5, lines 11-14, *When the electric field intensity **detection** output from the receiver 53 becomes less than a predetermined value...*)

Hashimoto shows in fig. 5 an input system selector 59 for selecting between a processed signal V1 obtained in the first receiver and a processed signal V2 obtained in the second receiver and outputting the selected signal 59' to a circuit 61 following thereto.

Hashimoto shows in fig. 5 a power supply controller 55 for controlling supplying power 56 to the second receiver; and

Hashimoto shows in fig. 5 a controller 55 for controlling the input system selector 59 and the power supply controller according to a detection result obtained by the reception status detector (col. 4, line 57 – col. 5, line 21).

***Allowable Subject Matter***

3. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 6-9 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 2,

The prior art of record does not teach or fairly suggest a system or apparatus comprising a receiver wherein the controller controls the input system selector and the

power supply controller so that when the reception status of the first broadcasting signal is poorer than the first status and better than a second status, power is supplied to the second receiver and the processed signal obtained in the first receiver is selected and outputted.

Regarding claim 5,

The prior art of record does not teach or fairly suggest a system or apparatus comprising a memory portion, arranged in a stage immediately before the input system selector, for memorizing temporarily each of the processed signals obtained in the first and the second receivers respectively.

6. The following is an examiner's statement of reasons for allowance:

Regarding claim 6,

The prior art of record does not teach or fairly suggest a system or apparatus comprising a memory portion, arranged in a stage immediately before the input system selector, for memorizing temporarily each of the processed signals obtained in the first and the second receivers respectively, and a controller for controlling the input system selector and the memory portion according to a detection result obtained by the reception status detector.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nonomura (US6731346B1) teaches television receiver.

Talmola (US2002/0008788A1) teaches OFDM receiver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Sol whose telephone number is (571) 272-5949. The examiner can normally be reached on M-F 7:30am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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7/30/2007